IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.2738 of 2007

Kashinath Roy — Applicant
Vs.
Mahindra and Mahindra Ltd. & ors. — Respondents

Mr.S.M.Shetigar for applicant.
Mr.P.A.Pol, APP for State.
Mr.Amit Bajpai i/b. Ashwin Ankhad & Associates for resp.no.1.
Mr.A.S.Pratinidhi i/b. Mr.S.H.Joshi for resp.no.2.

CORAM: B.H.MARLAPALLE, J.

September 14, 2007.

P.C.

. Heard the learned counsel for the applicant who prays for quashing of the proceedings in C.C. No.617/P/2000 filed for the offences punishable under Sections 406 and 409 read with Section 34 of IPC on the grounds that the parties i.e. the complainant and the accused have already settled the subject disputes. The said complaint was filed by the present respondent no.1 - Company and terms of compromise have been signed between the parties on 29th March 2005 in Suit Nos.1292 of 1991, 1423 of 1991 and 1424 of 1991 pending before this Court. The Suits have been disposed on the basis of the Consent Terms.

. The learned counsel for the respondent no.1, therefore, states that the Company has no objection in quashing the proceedings in the pending complaint before the learned Addl. Chief Metropolitan Magistrate, Esplanade, Mumbai.

. Hence by consent of the respondent no.1 - Company, the original complainant, the petition is allowed in terms of prayer clause (a).

(B.H.MARL